

STATEMENT FROM SHERIFF GARY PENROD RE THE 9TH CIRCUIT COURT'S STAY OF EXECUTION FOR CHINO HILLS KILLER KEVIN COOPER

I feel obligated to express my strong sense of frustration, on behalf of the many honorable men and women who have worked so hard on the Kevin Cooper case, with the 9th Circuit Court's last minute stay of Cooper's execution.

While opposition by some to the death penalty is understandable and debate on the issue is healthy, I can think of no reasonable explanation for the 9th Circuit Court to suddenly lend new credibility to assertions and accusations that have been made and litigated repeatedly over the years by Cooper's attorneys and other opposed to California's death penalty.

Particularly offensive is the court's apparent willingness to lend credibility to outrageous last minute accusations that San Bernardino County Sheriff's investigators "planted" evidence, when such accusations were accompanied by not a shred of supporting evidence and the reported source of the information was quickly discredited by investigators from both the FBI and the California Department of Justice.

There is no credible evidence to indicate that this agency did not conduct a thorough and appropriate investigation of the Ryen/Hughes murders, utilizing the technology available at the time. Subsequent comparisons involving new technologies have only validated earlier findings. Numerous potentially exculpatory claims by Cooper's attorneys have been effectively and repeatedly addressed by our District Attorney and/or the California Attorney General over the past twenty years. Furthermore, to believe that we "planted" Cooper's blood on evidence that was thoroughly photographed during the initial investigation and has been in the custody of the trial court in San Diego since 1984, one must believe that we somehow had Cooper's blood days before we knew who he was and many weeks before he was apprehended.

If, in fact, the 9th Circuit Court of Appeal's practice is going to be to allow any accuser, no matter how questionable their claims, to stay executions by remaining silent for decades, only to speak up at the last minute, the court invites unscrupulous people to potentially interrupt every execution, thereby wasting public funds, torturing victims' families and denying the People of the State of California the ability to carry out justice under the laws of the state.